

E-filed on 5/23/06

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

WILLIAM GENE WADE,  
Petitioner,

v.

EDWARD S. ALAMEIDA, JR., Director,  
California Department of Corrections,

Respondent.

No. C-02-01422 RMW

ORDER DENYING PETITION FOR  
CERTIFICATE OF APPEALABILITY

[Re Docket No. 20]

William Wade petitions for a certificate of appealability under 28 U.S.C. § 2253(c).  
Petitioner has not shown reasonable jurists would differ as required by *Slack v. McDaniel*, 529  
U.S. 473, 484 (2000). Accordingly, the court denies the application for a certificate of  
appealability. The clerk shall transmit the file, including a copy of this order, to the Court of  
Appeals. *See* Fed. R. App. P. 22(b).<sup>1</sup>

DATED: 5/23/06



RONALD M. WHYTE  
United States District Judge

<sup>1</sup> Petitioner may then ask the Court of Appeals to issue the certificate, *see* Fed. R. App. P. 22(b)(1), or if he does not, the notice of appeal will be construed as such a request, *see* Fed. R. App. P. 22(b)(2).



1 A copy of this order was mailed on \_\_\_\_\_ to:

2 **Counsel for Petitioner:**

3 Patrick Morgan Ford  
4 1901 First Street  
5 Suite 400  
6 San Diego, CA 92101

7 **Counsel for Respondent:**

8 Morris Beatus<sup>2</sup>  
9 California Attorney General Office  
10 455 Golden Gate Avenue  
11 Suite 11000  
12 San Francisco, CA 94102-7004

13 Counsel are responsible for distributing copies of this order to co-counsel, as necessary.  
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28 <sup>2</sup> The court is aware that Morris Beatus has been appointed to the California Superior Court and therefore no longer represents the respondent, but the court has not been informed of a change in counsel for respondent.